IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SECOND DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE GODA RAGHURAM

WRIT PETITION NO : 20959 of 2003

Between:

Katrapally Rythu Sangham rep by its General Secretary
K. Raji Reddy S/o Gopal Reddy 35 years agriculture R/o katrapally
Vilalge, Sangam Mandal Warangal distirct

..... PETITIONER

AND

1 The State Level Committee rep by its Chairman, Commissioner and Director of Agriculture, Government of A.P., Hyderabad
2 the District Level Committee rep. by its Chairman Joint Director of Agriculture Warangal, Warangal District
3 M/s. Seed Home Company Chodavaram, Guntur Rural, guntur District, rep by its Proprietor
4 HIma Agros Shop No. 13, Gourishankar Complex, Station Road, Warangal, Warangal District.
5 Noble Agencies rep by its Proprietor, OPP Sunil Talkies, Station road, Warangal, Warangal District

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus by declaring the action of the respondents 1 and 2 in not taking action against the Unofficial respondents 3 to 5 for payment compensation to the petitioner's society members as awarded by the 2nd respondent and 24% interest as per the MOU as Illegal, improper arbitrary null and void and consequently direct the respondents 1 and 2 to take steps against the unofficial respondents 3 to 5 for payment of compensation Rs. 6570 per acre as awarded by the 2nd respondent to the petitioner's society members along with 24 % interest from the date of award immediately.

Counsel for the Petitioner: MR.M.YESHWANTH KUMAR

Counsel for the Respondent Nos.1&2 : GP FOR AGRICULTURE

Counsel for the Respondent Nos.3&4 : None appeared

Counsel for the Respondent No.5: K.V.BHANU PRASAD

The Court made the following :

ORAL ORDER

Katrapally Rythu Sangham represented by its Secretary has instituted this writ petition alleging inaction by the respondents 1 and 2 in taking action against the respondents 3 to 5 in paying compensation to the members of the petitioner-society as awarded by the 2nd respondent as per the memorandum of understanding.

It is neither pleaded nor demonstrated before this Court that the petitioner-society is a registered body entitled to represent the interest of its members. As pleaded, the petitioner appears to be an unincorporated loose organization of individuals, which is not entitled to litigate under a corporate rubric. No relief could be granted at the instance of such a prima-facie unincorporated association.

The writ petition thus misconceived and is accordingly dismissed. The dismissal of this writ petition does not prevent any individual or group of individuals properly constituted and represented to pursue appropriate remedies as are available in law.

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GODA RAGHURAM,J

2ND February , 2005

*TSNR

TO

1. The Chairman,Commissioner and Directorof Agriculture, Government of A.P.Hyderabad.

2. The Chairman, Joint Director of Agriculture District LevelCommittee, Warangal District,Warangal.

3. Two CCs to GP for AGRICULTURE,High Court Buildings, High Court of A.P.Hyderabad(OUT)

4. Two C.D.Copies